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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/602,597	06/25/2003	Kazuo Okada	239509US2	1457
22850	7590	11/22/2004	EXAMINER	
OBLON, SPIVAK, MCCLELLAND, MAIER & NEUSTADT, P.C.			COLLINS, DOLORES R	
1940 DUKE STREET			ART UNIT	
ALEXANDRIA, VA 22314			PAPER NUMBER	
			3711	

DATE MAILED: 11/22/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

CS

Office Action Summary

Application No.

10/602,597

Applicant(s)

OKADA, KAZUO

Examiner

Dolores R. Collins

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 08 July 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-18 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-18 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| Paper No(s)/Mail Date <u>10/30/04</u> . | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

Response to Amendment

Examiner acknowledges response by applicant's representative received 7/8/04.

Examiner further acknowledges the addition of claims 5-18.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Claims 1-8 & 10-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura (105).

Kimura discloses a Game Machine With Selective Stop Means For Moving Display.

Regarding claims 1, 5 & 13

Kimura teaches a variable display unit with a plurality of symbols which can be view through a front display (figure 2 a stopping controller (col. 2, lines 28-31 & 55-58) and the provision of awards (col. 3, lines 4-20). Kimura teaches lamps (24-26) used to emit signals for the purpose of stopping the reels (col.2, lines 58-62) but fails to explicitly

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teach a backlight that is set in the front side display unit in order to light up the symbols displayed by the variable display unit. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a backlight in Kimura's game machine since the examiner takes official notice that backlights are well known in gaming/slot machines to facilitate the viewing of displayed symbols on reels during game play.

Regarding claims 2, 6, 10, 14 & 16

Kimura teaches a backlight to light up the symbols displayed (col. 2, lines 58-62)

Regarding claims 3, 7, 11, 15 & 17

Kimura teaches a variable display unit with a plurality of symbols, which can be view through a front display (col. 2, lines 42-51 & figure 2).

Regarding claims 4, 8 & 12

Kimura teaches a stopping controller and a plurality of individual stoppers for each reel (col. 2, lines 28-31 & 55-58).

Claims 9 & 18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Kimura (105) in view of Okada (118).

Kimura discloses a Game Machine With Selective Stop Means For Moving Display.

Regarding claims 9 & 18

Kimura teaches a variable display unit with a plurality of symbols which can be view through a front display (figure 2 a stopping controller (col. 2, lines 28-31 & 55-58) and the provision of awards (col. 3, lines 4-20). Kimura teaches lamps (24-26) used to emit signals for the purpose of stopping the reels (col.2, lines 58-62) but fails to explicitly teach a backlight that is set in the front side display unit in order to light up the symbols displayed by the variable display unit. It would have been obvious to one of ordinary skill in the art at the time the invention was made to include a backlight in Kimura's game machine since the examiner takes official notice that backlights are well known in gaming/slot machines to facilitate the viewing of displayed symbols on reels during game play.

Kimura further fails to explicitly teach the use of an LCD. Okada discloses Gaming Apparatus. Okada teaches the use of an LCD as part of his game machine design. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Kimura to further include an LCD for enhanced visually satisfaction for the players.

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Response to Arguments

Applicant's arguments filed 7/8/04 have been fully considered but they are not persuasive. Applicant requested that prior art be cited for the position for which Official notice is taken. Examiner supports the position of the Official Action taken with previously cited reference to Takemoto (962). The motivation for use of backlights in the windows of Kimura would be for clear viewing of the displays at the front end of unit.

Applicant has added claims 5-18. The limitations of these new claims have been overcome by the cited references.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

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The prior art made of record and not relied upon is considered pertinent to applicant's disclosure and are cited to show the state of art with respect to features of the claimed invention.

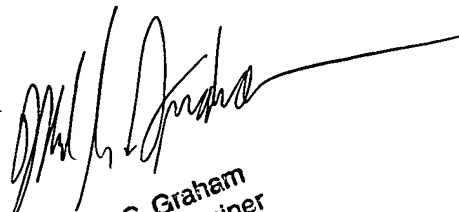
Any inquiry concerning this communication or earlier communications from the examiner should be directed to **Dolores R. Collins** whose telephone number is **(703) 308-8352**. The examiner can normally be reached on 8.00 A.M. - 4:30 P.M..

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, **Greg Vidovich** can be reached on **(703) 308-1513**. The fax phone number for the organization where this application or proceeding is assigned is **703-872-9306**.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



November 15, 2004


Mark S. Graham
Primary Examiner